

§ 177.837 Flammable liquids.

(See also § 177.834 (a) to (k).)

(a) *Engine stopped.* Unless the engine of the motor vehicle is to be used for the operation of a pump, no flammable liquid shall be loaded into, or on, or unloaded from any motor vehicle while the engine is running.

(b) *Bonding and grounding containers other than cargo tanks prior to and during transfer of lading.* \* \* \*

(c) *Bonding and grounding cargo tanks before and during transfer of lading.* (1) When a cargo tank is loaded through an open filling hole, one end of a bond wire shall be connected to the stationary system piping or integrally connected steel framing, and the other end to the shell of the cargo tank to provide a continuous electrical connection. (If bonding is to the framing, it is essential that piping and framing be electrically interconnected.) This connection must be made before any filling hole is opened, and must remain in place until after the last filling hole has been closed. Additional bond wires are not needed around All-Metal flexible or swivel joints, but are required for nonmetallic flexible connections in the stationary system piping. When a cargo tank is unloaded by a suction-piping system through an open filling hole of the cargo tank, electrical continuity shall be maintained from cargo tank to receiving tank.

(2) When a cargo tank is loaded or unloaded through a vapor-tight (not open hole) top or bottom connection, so that there is no release of vapor at a point where a spark could occur, bonding or grounding, is not required. Contact of the closed connection must be made before flow starts and must not be broken until after the flow is completed.

(3) Bonding or grounding is not required when a cargo tank is unloaded through a nonvapor-tight connection into a stationary tank provided the metallic filling connection is maintained in contact with the filling hole.

\* \* \*

This amendment is effective August 31, 1971; however, compliance with the regulations as amended herein is authorized immediately.

(Secs. 831-835, Title 18, United States Code; sec. 9, Department of Transportation Act (49 U.S.C. 1657))

Issued in Washington, D.C., on May 27, 1971.

KENNETH L. PIERSON,  
Acting Director, Bureau of  
Motor Carrier Safety, Federal  
Highway Administration.

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[Docket No. HM-71; Amdt. 178-19]

**PART 178—SHIPPING CONTAINER  
SPECIFICATIONS**

**Specification 3HT Cylinders—Tensile  
Strength Limitation**

The purpose of this amendment to the Department's Hazardous Materials Reg-

ulations is to increase the maximum allowable tensile strength of the steel in specification 3HT cylinders from 160,000 p.s.i. to 165,000 p.s.i.

On December 16, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-71; Notice No. 70-26 (35 F.R. 19025), which proposed this amendment.

Interested persons were invited to give their views on the proposal. No objections were received. One commenter noted that the proposed text did not clearly state if all cylinders in a rejected lot would require measurement of the sidewall thickness. It is the intent of the Board to require that all cylinders be checked. The Board believes that the sidewall verification on specification 3HT cylinders is more critical than for other cylinders because of the thinness of the wall. A change has been made in the text to clarify the intent of the regulation.

Accordingly, 49 CFR Part 178 is amended as follows:

In § 178.44-21, paragraph (a) (2) is amended; in § 178.44-22, paragraph (b) is added to read as follows:

§ 178.44 Specification 3HT; inside containers, seamless steel cylinders for aircraft use made of definitely prescribed steel.

§ 178.44-21 Acceptable results of tests.

(a) \* \* \*

(2) Tensile strength shall not exceed 165,000 p.s.i.

\* \* \*

§ 178.44-22 Rejected cylinders.

\* \* \*

(b) For each cylinder subjected to re-heat treatment during original manufacture, sidewall measurements must be made to verify that the minimum sidewall thickness meets specification requirements after the final heat treatment.

This amendment is effective August 31, 1971, however, compliance with the regulations as amended herein is authorized immediately.

(Sec. 831-835, Title 18, United States Code; sec. 9, Department of Transportation Act (49 U.S.C. 1657); title VI; sec. 902(h), Federal Aviation Act of 1958 (49 U.S.C. 1421-1430, 1472(h))

Issued in Washington, D.C., on May 27, 1971.

W. F. REA III,  
Rear Admiral, U.S. Coast Guard,  
By direction of Commandant,  
U.S. Coast Guard.

CARL V. LYON,  
Acting Administrator,  
Federal Railroad Administration.

ROBERT A. KAYE,  
Director, Bureau of Motor Car-  
rier Safety, Federal Highway  
Administration.

SAM SCHNEIDER,  
Board Member, For the  
Federal Aviation Administration.

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**Chapter X—Interstate Commerce  
Commission**

**SUBCHAPTER A—GENERAL RULES AND  
REGULATIONS**

[4th Rev. S.O. 1061]

**PART 1033—CAR SERVICE**

**Return of Hopper Cars**

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 21st day of May 1971.

It appearing, that an acute shortage of hopper cars exists on the railroads named in paragraph (a) (1) herein; that shippers located on the lines of these carriers are being deprived of hopper cars required for loading, resulting in an emergency, forcing curtailment of their operations, and thus creating great economic loss and reduced employment of their personnel; that hopper cars, after being unloaded, are being appropriated and being retained in services for which they have not been designated by the car owner; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of hopper cars are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1061 Service Order No. 1061.

(a) Regulations for return of hopper cars: Each common carrier by railroad subject to the Interstate Commerce Act, with the exception of those carriers named in Service Order No. 1043 (Service Order No. 1043 remains in effect, and carriers named therein must continue to comply with its provisions), shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Exclude from all loading and return to owner empty, except as otherwise authorized in subparagraphs (4), (5), and (6) of this paragraph, all hopper cars owned by the following railroads:

The Akron, Canton & Youngstown Railroad Co.

Reporting marks: ACY.

Burlington Northern, Inc.

Reporting marks: BN, CB&Q, GN, NP, SP&S.

Chicago & Eastern Illinois Railroad Co.

Reporting marks: C&EI.

The Colorado and Southern Railway Co.

Reporting marks: C&S.

Illinois Central Railroad Co.

Reporting marks: IC.

Fort Worth and Denver Railway Co.

Reporting marks: FW&D.

Missouri-Illinois Railroad Co.

Reporting marks: M I.

Missouri-Kansas-Texas Railroad Co.

Reporting marks: MKT, BKTY.